

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
COURT FILE NUMBER 18-CV-01434 (DSD/KMM)

Robert Gillum, Jr.,

Plaintiff,

v.

AFFIDAVIT OF DEFAULT AND
IDENTIFICATION OF
JUDGMENT DEBTOR

Hellmuth & Johnson, PLLC,

Defendants.

State of Minnesota }
 } ss.
County of Hennepin }

Jonathan L.R. Drewes, being first duly sworn on oath states and alleges
as follows:


1. I am an attorney duly licensed to practice law in the District Court of Minnesota, and I represent Plaintiff Robert Gillum, Jr., in the above-captioned action.
2. To the best of my knowledge and information, the registered address of Defendant Hellmuth & Johnson, PLLC is 8050 West 78th Street, Edina, MN 55439.
3. To the best of my knowledge and information, the place of business and postal address of Hellmuth & Johnson, PLLC is 8050 West 78th Street, Edina, MN 55439.

4. Based upon the proof of service already filed with this Court [Doc. 5], on July 11, 2018 Excel Legal Courier's Process Server Daniel Otto served a copy of the Summons and Complaint for this matter upon J. Robert Keena of Hellmuth & Johnson, PLLC.
5. J. Robert Keena of Hellmuth & Johnson, PLLC is identified by Excel Legal Courier's Process Server Daniel Otto to be the Chief Operating Officer of Hellmuth & Johnson, PLLC, and to be designated by law to accept service of process on behalf of Hellmuth & Johnson, PLLC.
6. I know of no answer, response, or defense to the claims made by the Complaint and served upon Hellmuth & Johnson, PLLC.
7. I do not believe that Hellmuth & Johnson, PLLC, nor any representative or attorney on its behalf, has contacted me or attempted to contact me regarding this case.
8. 15 U.S.C. § 1692e(11) of the Fair Debt Collection Practices Act (FDCPA) prohibits "the failure to disclose in the initial written communication with the consumer... that the debt collector is attempting to collect a debt and that any information obtained will be used for that purpose, and the failure to disclose in subsequent communications that the communication is from a debt collector."
9. Plaintiff Robert Gillum, Jr.'s Complaint served upon Hellmuth & Johnson, PLLC, alleges that the letter attached as Exhibit A to the complaint violates the prohibitions of 15 U.S.C. § 1692e(11).
10. 15 U.S.C. § 1692e also prohibits actual misrepresentations by a debt collector in connection with the collection of any debt.
11. Plaintiff Robert Gillum, Jr.'s Complaint served upon Hellmuth & Johnson, PLLC, alleges that the letter attached as Exhibit A to the complaint violates the prohibitions of 15 U.S.C. § 1692e by making actual misrepresentations.

12. Pursuant to 15 U.S.C. § 1692k of the FDCPA, Plaintiff's prayer for relief includes \$1,000.00 in statutory damages, the cost of this action, and reasonable attorney's fees, forming the basis of this action.
13. No answer to said Summons and Complaint has been received from Defendant Hellmuth & Johnson, PLLC, and Plaintiff knows of no defense to these claims.

FURTHER YOUR AFFIANT SAYETH NOT.

Date: 8/21/18


Jonathan L.R. Drewes

Subscribed and sworn to before
me this 21st day of AUGUST, 2018.


Notary Public

